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U.S. DISTRICT COURT  
DISTRICT OF MASS.

June 29, 2004

**BY HAND**

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Mr. Paul Lyness  
Courtroom Clerk  
U.S. District Court for the District of Massachusetts  
John Joseph Moakley U.S. Courthouse  
1 Courthouse Way  
Boston, MA 02210

**Re: Mary Andrus, et al. v. Indevus Pharmaceuticals, Inc., et al.**  
**C.A. No. 04-10911-GAO**

Dear Mr. Lyness:

Wyeth and Wyeth Pharmaceuticals, Inc. (collectively "Wyeth") have now substantially completed the removal of approximately 195 diet drug cases from the Middlesex Superior Court to the Massachusetts Federal District Court. Most of the cases name multiple plaintiffs. Edward Barshak, Esq. and Sugarman, Rogers, Barshak & Cohen represent the plaintiffs in most of these cases. These cases have been assigned to Judge O'Toole.

*Andrus* was the first case to be removed. In it, Wyeth has filed a motion seeking a stay of the cases pending transfer to the MDL court. Also in *Andrus*, the plaintiffs represented by Mr. Barshak and his firm filed a motion to remand.

Motions seeking remand have been filed in some other cases. An opposition and brief to the first of the additional remand motions is due next Tuesday, July 6, 2004. More remand motions and more oppositions and briefs will likely be filed over the next several weeks, unless a more convenient, efficient and less costly process can be arranged. There are other special removal related issues.

Wyeth and the plaintiffs represented by Mr. Barshak jointly request that the Court schedule a status conference to consider removal related issues. If convenient for the Court, these parties would be grateful if a status conference could be held this week before the flow of paperwork is scheduled to begin again on July 6.

Mr. Paul Lyness  
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Thank you for considering this request.

Very truly yours,

A handwritten signature in black ink, reading "William McCormack". The signature is fluid and cursive, with the first name "William" and last name "McCormack" clearly distinguishable.

William A. McCormack

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/jjb

cc: Edward J. Barshak, Esq.  
Samuel W. Lanham, Jr., Esq.  
Neil D. Overholtz, Esq.  
Matthew J. Matule, Esq.